

PATENT COOPERATION TREATY

MR

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

✗

To:
ETUDES ET PRODUCTIONS SCHLUMBERGER
1, rue Henri Becquerel
BP 202
F-92142 Clamart Cedex
FRANCE

SERVICE BREVETS & CONTRATS


Reçu
le

25 MAI 2005

SRPC - Clamart

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

CHAPTER II : 16 AUG 05

+ Written Opinion 
(PCT Rule 44.1)

Date of mailing
(day/month/year) **25/05/2005**

Applicant's or agent's file reference

WO 21.1214

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.

PCT/EP2005/000054

International filing date
(day/month/year)

04/01/2005

Applicant

SERVICES PETROLIERS SCHLUMBERGER

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
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Authorized officer

Alex Schmidt

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference WO 21.1214	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2005/000054	International filing date (day/month/year) 04/01/2005	(Earliest) Priority Date (day/month/year) 16/01/2004
Applicant SERVICES PETROLIERS SCHLUMBERGER		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box II).

3. ☐ Unity of invention is lacking (see Box III).

4. With regard to the title,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

METHOD OF CONSOLIDATING AN UNDERGROUND FORMATION

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No. 1

☐ as suggested by the applicant.

☒ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

 International Application No
 PCT/EP2005/000054

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 E21B43/02 E21B33/138

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 E21B C09K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/49971 A (SHELL CANADA LTD ; BP EXPLORATION OPERATING (GB); GUNN ALISTAIR MANSON) 12 July 2001 (2001-07-12) claims 1-19	1-18
X	EP 0 604 988 A (PHILLIPS PETROLEUM CO) 6 July 1994 (1994-07-06) the whole document	1-18
X	CHAUVETEAU G; TABARY R; RENARD M; OMARI A: "Controlling In-Situ Gelation of Polyacrylamides by Zirconium for Water Shutoff" SPE INTERNATIONAL SYMPOSIUM ON OILFIELD CHEMISTRY - HOUSTON, TEXAS 16-19 FEBRUARY 1999, SPE 50752, 1999, pages 1-9, XP002293495 the whole document	1-18
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

18 May 2005

Date of mailing of the international search report

25/05/2005

Name and mailing address of the ISA

 European Patent Office, P.B. 5818 Patentlaan 2
 NL - 2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Lehnert, A

INTERNATIONAL SEARCH REPORT

 International Application No
 PCT/EP2005/000054

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 789 351 A (MORADI-ARAGHI AHMAD ET AL) 4 August 1998 (1998-08-04) the whole document	1-18
X	US 5 642 783 A (MORADI-ARAGHI AHMAD ET AL) 1 July 1997 (1997-07-01) the whole document	1-18
X	US 5 849 674 A (MORADI-ARAGHI AHMAD ET AL) 15 December 1998 (1998-12-15) cited in the application the whole document	1-18
X	US 4 606 407 A (SHU PAUL) 19 August 1986 (1986-08-19) column 3, line 29 - line 35; claims; examples	1-6, 10-18
X	US 5 086 089 A (SHU PAUL) 4 February 1992 (1992-02-04) cited in the application column 3, line 51 - column 4, line 16 column 4, line 49 - line 50 column 6, line 41 - line 63	1-6, 10-18
X	US 4 670 165 A (BROWN JAMES M ET AL) 2 June 1987 (1987-06-02) the whole document	1-6, 10-18

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2005/000054

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0149971	A	12-07-2001	AT 277272 T	15-10-2004
			AU 2381901 A	16-07-2001
			CA 2395928 A1	12-07-2001
			DE 60014183 D1	28-10-2004
			EP 1292759 A1	19-03-2003
			WO 0149971 A1	12-07-2001
			NO 20023155 A	16-07-2002
			US 2003109385 A1	12-06-2003
EP 0604988	A	06-07-1994	US 5478802 A	26-12-1995
			CA 2107550 A1	30-06-1994
			DE 69326424 D1	21-10-1999
			DE 69326424 T2	13-01-2000
			EP 0604988 A2	06-07-1994
			MX 9307941 A1	31-08-1994
			NO 934869 A	30-06-1994
US 5789351	A	04-08-1998	US 5642783 A	01-07-1997
			US 5547025 A	20-08-1996
			AU 683194 B2	30-10-1997
			AU 5058496 A	31-10-1996
			GB 2299821 A ,B	16-10-1996
			IN 187894 A1	20-07-2002
			NO 961483 A	15-10-1996
US 5642783	A	01-07-1997	US 5547025 A	20-08-1996
			US 5789351 A	04-08-1998
			AU 683194 B2	30-10-1997
			AU 5058496 A	31-10-1996
			GB 2299821 A ,B	16-10-1996
			IN 187894 A1	20-07-2002
			NO 961483 A	15-10-1996
US 5849674	A	15-12-1998	NONE	
US 4606407	A	19-08-1986	NONE	
US 5086089	A	04-02-1992	US 4964461 A	23-10-1990
			CA 2029238 A1	04-05-1991
			GB 2237575 A ,B	08-05-1991
			NO 904772 A ,B,	06-05-1991
US 4670165	A	02-06-1987	NONE	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2005/000054

International filing date (day/month/year)
04.01.2005

Priority date (day/month/year)
16.01.2004

International Patent Classification (IPC) or both national classification and IPC
E21B43/02, E21B33/138

Applicant
SERVICES PETROLIERS SCHLUMBERGER

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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Lehnert, A

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2005/000054

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2005/000054

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-8, 11-18
Inventive step (IS)	Yes: Claims	
	No: Claims	1-18
Industrial applicability (IA)	Yes: Claims	1-18
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

The following documents are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

- D1: WO 01/49971 A (SHELL CANADA LTD ; BP EXPLORATION OPERATING (GB); GUNN ALISTAIR MANSON) 12 July 2001 (2001-07-12)
- D2: EP-A-0 604 988 (PHILLIPS PETROLEUM CO) 6 July 1994 (1994-07-06)
- D3: CHAUVETEAU G; TABARY R; RENARD M; OMARI A: "Controllin In-Situ Gelation of Polyacrylamides by Zirconium for Water Shutoff" SPE INTERNATIONAL SYMPOSIUM ON OILFIELD CHEMISTRY - HOUSTON, TEXAS 16-19 FEBRUARY 1999, SPE 50752, 1999, pages 1-9, XP002293495
- D4: US-A-5 789 351 (MORADI-ARAGHI AHMAD ET AL) 4 August 1998 (1998-08-04)
- D5: US-A-5 642 783 (MORADI-ARAGHI AHMAD ET AL) 1 July 1997 (1997-07-01)
- D6: US-A-5 849 674 (MORADI-ARAGHI AHMAD ET AL) 15 December 1998 (1998-12-15)
- D7: US-A-4 606 407 (SHU PAUL) 19 August 1986 (1986-08-19)
- D8: US-A-5 086 089 (SHU PAUL) 4 February 1992 (1992-02-04)
- D9: US-A-4 670 165 (BROWN JAMES M ET AL) 2 June 1987 (1987-06-02)

1. Clarity

The term "A of drilling a well" used in claim 11 is vague and unclear and leaves the reader in doubt as to the meaning of the technical features to which it refers, thereby rendering the definition of the subject-matter of said claim unclear (Article 6 PCT).

2. Novelty

2.1.

Document D1 (see claims 1, 4, 9, 10) discloses a method of stabilising an underground formation surrounding a borehole comprising placing a treatment fluid comprising a crosslinkable polymer (acrylamide copolymers, see claim 4). After placement of the treatment fluid an activator is pumped into the borehole (zirconium lactate or zirconium

acetate, see claims 9, 10, and page 7, lines 13-15). The fluids are pumped sequentially into the borehole, an aqueous spacer fluid may be used (see claim 1).

Consequently, the subject-matter of claims 1-8, 11-18 is not novel (Article 33(1) and 33(2) PCT).

2.2.

Documents D2 - D9 may be used to discuss the novelty of the independent claim 1 as well:

Document D2 discloses the gelation of polyacrylamide solutions with zirconium lactate in underground formations; the polymer, crosslinker and complexing ligand can be injected sequentially.

Document D3 discloses the use of zirconium lactate as a crosslinker to gelate polyacrylamides in borewells.

Document D4 discloses zirconium lactate, used to crosslink acrylamide-containing polymers.

Document D5 discloses the crosslinking of partially hydrolysed polyacrylamides with zirconium lactate.

Document D6 discloses the crosslinking of polyacrylamide using zirconium lactate.

Document D7 discloses the crosslinking of a polyacrylamide using chromium ions for stabilising boreholes

Document D8 discloses the polymerisation of acrylamide polymers using a crosslinker and an activator; Al, Cr, and Zr can be used.

Document D9 discloses the polymerisation of acrylamide polymers, cobalt ions are used as crosslinking agents.

3. Inventive step (Claims 9 and 10)

Document D1 (see claims 1, 4, 9, 10) discloses a method of stabilising an underground formation surrounding a borehole comprising placing a treatment fluid comprising a crosslinkable polymer (acrylamide copolymers, see claim 4). After placement of the treatment fluid an activator is pumped into the borehole (zirconium lactate or zirconium acetate, see claims 9, 10, and page 7, lines 13-15). The fluids are pumped sequentially into the borehole, an aqueous spacer fluid may be used (see claim 1).

The subject-matter of claims 9 and 10 differs from this closest state of the prior art in that a solution of zirconium chloride in seawater is used (claim 9) and that the activator and/or treatment fluid includes colloidal silica (claim 10).

There is no technical effect on file related to these differences. Thus the remaining problem to be solved were to provide alternative methods. However, the skilled person, looking for alternatives, would employ other compounds into the treatment fluids, without the exercise of inventive skill.

Simply adding seawater (claim 9) or colloidal silica (claim 10) to a treatment fluid without any technical effect cannot be the basis for an inventive step.

Hence, without any evidence demonstrating a technical effect arising from the above identified differences over the prior art of the claimed methods an inventive step cannot be acknowledged (Article 33(1) and 33(3) PCT).

4. General remarks

At least some of the objections raised above are such that there appears to be no possibility of overcoming them by amendment.